

To: FOIA HQ[FOIA_HQ@epa.gov]
From: Stilp, Mark
Sent: Mon 5/22/2017 9:21:25 PM
Subject: RE: [SPAM] Friday 5-19-17 Phone call summary

Hi FOIA HQ-

FYI, I am attending to Mr. Chelmowski and his request EPA-HQ-2017-005390.

I have asked Mr. Chelmowski to stop emailing the FOIA HQ address about this request because it is assigned to me and I am handling it, but he chooses to ignore me.

-Mark Stilp

Mark Stilp | Attorney-Advisor | Office of General Counsel | U.S. Environmental Protection Agency | 1200
Pennsylvania Ave. NW | Washington, DC 20460 | mail code: 2377A | office: 202.564.4845 | cell: 202.839.1889

From: Jim Chelmowski [mailto:]
Sent: Monday, May 22, 2017 5:11 PM
To: Stilp, Mark <Stilp.Mark@epa.gov>
Cc: ; FOIA HQ <FOIA_HQ@epa.gov>
Subject: [SPAM] Friday 5-19-17 Phone call summary

Hi Mark

Outline of our Friday 5-19-17 call, I am surprised I am not getting your notes from the phone call in 2 business days as promised at the beginning of our Friday 5-19-17 phone conversation.

Please confirm these items by Tuesday. So there is no confusion and incorrect Privacy Act /FOIA request description.

Phone call

- I. Date scope is from May 1, 2016 to current.
- II. All items are related and/or regarding me the Privacy Act /FOIA requesters.
- III. You also stated you located and found the EPA attorney who received the District Court subpoena from May of 2016 to the EPA.
- IV. That all FOIAonline transactions such as status change records, assignment records, review, comments, etc. are all responsive to FOIA and/or Privacy Act (with all fields and attachments on these records are responsive for Privacy Act/FOIA).
- V. You stated that the other Agency FOIAonline responsive records you may not have any access to and would put that in the Privacy Act/FOIA response if this is the fact.
- VI. Privacy Act/ FOIA must produce at the greatest amount of records and disclosures therefore any exemption must be exempt in BOTH Laws.

From Friday email re-clarification (multiple prior email clarification)

Note FCC did not provide a list of all FCC databases including the FCC email databases and/or systems therefore this Privacy Act/FOIA had to be a little more general unless the FCC provides me all the FCC databases and system of records in any communication to date.

1) All emails, correspondence, etc. regarding me or anything related me. EPA was required directives including but not limited to compliance with the OMB and NARA released M-12-18, Managing Government Records Directive on August 24, 2012 (all archives and required directives for deletion of any record in the EPA system of records are considered responsive for FOIA and/or Privacy Act responsive records) from May 1, 2016 to current Scope.

a) There is definitely correspondence regarding a Court Subpoena in 2016 the EPA never responded or complied.

b) EPA had communication with my EPA FOIAonline

c) Of course any other communication within EPA or to any other agency or other party

2) FOIAonline which are Directly Related to the Requester required for Privacy Act and/or FOIA request

It is public record that the FOIAonline records, fields, logs, status, notes, etc. are System of Record of the EPA for all EPA FOIA request I had and it is public record that the EPA maintains all the other agencies FOIAonline by definitions

a) EPA FOIAonline I am requesting ALL FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. referencing my name and any of my identification pursuant to both Privacy Act and FOIA

EPA-HQ-2017-005390 Request

EPA-HQ-2016-009708 Request

b) EPA maintains the FOIAonline system and by Privacy Act definition of System of Records that EPA maintains per official document from the Department of the Navy dated 12/12/13 that EPA maintains and manages the FOIAonline database which EPA is required to provide under Privacy Act and FOIA. EPA is required to produce all FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. referencing my name and any of my identification pursuant to both Privacy Act and FOIA for the following FOIAonline requests and appeals:

FCC-2015-000768 Request

FCC-2015-000769 Request

FCC-2015-000889 Appeal

FCC-2016-000345 Request

FCC-2016-000487 Appeal

FCC-2016-000665 Request

FCC-2016-000712 Appeal

FCC-2016-000863 Request

FCC-2017-000511 Request

FCC 2017-000633 Appeal

NARA-NGC-2016-000555 Request

NARA-NGC-2016-000746 Appeal

NARA-NGC-2017-000329 Request

NARA-NGC-2017-000332 Request

NARA-NGC-2017-000437 Request

Please provide all these items electronic in an email back to me.

Thank you

James Chelmowski

From: Jim Chelmowski [mailto: [REDACTED]]
Sent: Monday, May 22, 2017 2:52 PM
To: 'Stilp, Mark' <Stilp.Mark@epa.gov>
Cc: [REDACTED]
Subject: RE: Follow up to 5-18-17 Voicemail FOIA -- EPA-HQ-2017-005390 & Follow up to EPA Mark on 5-4-17 message and conversation and Chelmowski

Hi Mark

You stated on Friday morning you would send me a email with the details of our conversation so nothing gets over looked with full disclosure of all records required by both Privacy Act and FOIA which I have not received.

I sent you Friday afternoon my summary of our phone call. I stated in my email on 5-19-17 email below in this email chain my notes from our Friday morning phone call.

We need to confirm the Privacy Act/FOIA search parameters since I had to send emails, and phone calls to explain the further search parameters are not confused and we are the that same page.

Please confirm our phone conversation discussion so nothing gets over looked or confused.
We need to be in full agreement of the search since we discussed it on the phone conversation.

Thank you

James Chelmowski

From: Stilp, Mark [<mailto:Stilp.Mark@epa.gov>]
Sent: Friday, May 19, 2017 3:52 PM
To: Jim Chelmowski <[REDACTED]>
Subject: RE: [SPAM] RE: Follow up to 5-18-17 Voicemail FOIA -- EPA-HQ-2017-005390 & Follow up to EPA Mark on 5-4-17 message and conversation and Chelmowski

Thanks Jim. Thanks for taking the time to speak with me earlier today. I will respond to your email next week.

Going forward, please do not include the FOIA_HQ@epa.gov email address on correspondence about this request. I am processing your FOIA request and you and you can communicate directly with me.

Thanks. Have a nice weekend.

-Mark Stilp

Mark Stilp | Attorney-Advisor | Office of General Counsel | U.S. Environmental Protection Agency | 1200 Pennsylvania Ave. NW | Washington, DC 20460 | mail code: 2377A | office: 202.564.4845 | cell: 202.839.1889

From: Jim Chelmowski [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Friday, May 19, 2017 12:09 PM
To: Stilp, Mark <Stilp.Mark@epa.gov>
Cc: FOIA HQ <FOIA_HQ@epa.gov>
Subject: [SPAM] RE: Follow up to 5-18-17 Voicemail FOIA -- EPA-HQ-2017-005390 & Follow up to EPA Mark on 5-4-17 message and conversation and Chelmowski

Hi Mark

As we discussed today, please provide a summary so we are on the same page.

Here are a few items we discussed

Date scope is from May 1, 2016 to current.

All items are related and/or regarding me the Privacy Act /FOIA requesters.

You also stated you located and found the EPA attorney who received the District Court subpoena from May of 2016 to the EPA.

That all FOIAonline transactions such as status change records, assignment records, review, comments, etc. are all responsive to FOIA and/or Privacy Act (with all fields and attachments on these records are responsive for Privacy Act/FOIA).

You stated that the other Agency FOIAonline responsive records you may not have any access to and would put that in the Privacy Act/FOIA response if this is the fact.

Privacy Act/ FOIA must produce at the greatest amount of records and disclosures therefore any exemption must be exempt in BOTH Laws.

Thank you

James Chelmowski

From: Jim Chelmowski [mailto: [REDACTED]]
Sent: Thursday, May 18, 2017 1:01 PM
To: 'Stilp, Mark' <Stilp.Mark@epa.gov>
Cc: [REDACTED]; 'FOIA HQ' <FOIA_HQ@epa.gov>
Subject: Follow up to 5-18-17 Voicemail FOIA -- EPA-HQ-2017-005390 & Follow up to EPA Mark on 5-4-17 message and conversation and Chelmowski

Hi Mark

I am in meetings today so here is what is requested and required by both Privacy Act and FOIA request EPA-HQ-2017-005390. I will have time to talk tomorrow.

It is very clear I need all the EPA records related to me in prior requests, emails, voicemails, etc.

So here it is one more time below:

1) All emails, correspondence, etc. regarding me or anything related me. EPA was required directives including but not limited to compliance with the OMB and NARA released M-12-18, Managing Government Records Directive on August 24, 2012 (all archives and required directives for deletion of any record in the EPA system of records are considered responsive for FOIA and/or Privacy Act responsive records)

a) There is definitely correspondence regarding a Court Subpoena in 2016 the EPA never responded or complied.

b) EPA had communication with my EPA FOIAonline

c) Of course any other communication within EPA or to any other agency or other party

2) FOIAonline which are Directly Related to the Requester required for Privacy Act and/or FOIA request

It is public record that the FOIAonline records, fields, logs, status, notes, etc. are System of Record of the EPA for all EPA FOIA request I had and it is public record that the EPA maintains

all the other agencies FOIAonline by definitions

a) EPA FOIAonline I am requesting ALL FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. referencing my name and any of my identification pursuant to both Privacy Act and FOIA

EPA-HQ-2017-005390 Request

EPA-HQ-2016-009708 Request

b) EPA maintains the FOIAonline system and by Privacy Act definition of System of Records that EPA maintains per official document from the Department of the Navy dated 12/12/13 that EPA maintains and manages the FOIAonline database which EPA is required to provide under Privacy Act and FOIA. EPA is required to produce all FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. referencing my name and any of my identification pursuant to both Privacy Act and FOIA for the following FOIAonline requests and appeals:

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NARA-NGC-2016-000555 Request

NARA-NGC-2016-000746 Appeal

NARA-NGC-2017-000329 Request

NARA-NGC-2017-000332 Request

NARA-NGC-2017-000437 Request

Please provide all these items electronic in an email back to me.

Thank you

James Chelmowski

[REDACTED]

[REDACTED]

From: Jim Chelmowski [mailto:[REDACTED]]
Sent: Wednesday, May 10, 2017 1:00 PM
To: 'foia_hq@epa.gov' <foia_hq@epa.gov>; 'privacy@epa.gov' <privacy@epa.gov>; 'earle.judy@epa.gov' <earle.judy@epa.gov>; 'mark.stilt@epa.gov' <mark.stilt@epa.gov>; 'mark.stild@epa.gov' <mark.stild@epa.gov>; 'mark.stilf@epa.gov' <mark.stilf@epa.gov>; 'mark.still@epa.gov' <mark.still@epa.gov>
Cc: 'jchelmowski@comcast.net' [mailto:[REDACTED]] >
Subject: FW: FOIA -- EPA-HQ-2017-005390 - Follow up to EPA Mark on 5-4-17 message and conversation and Chelmowski

Dear EPA Privacy Act and FOIA

I left voicemail and emails with details of the Privacy Act/ FOIA requested records. Voicemail is attached again.

Please confirm receipt the acknowledgement of the Voicemail (which is attached) and emails. So I get all the Privacy Act and FOIA requested responsive records.

Thank you

Jim

From: Jim Chelmowski [mailto: [REDACTED]]
Sent: Monday, May 8, 2017 10:35 AM
To: foia_hq@epa.gov; privacy@epa.gov; earle.judy@epa.gov; mark.stilt@epa.gov; mark.stild@epa.gov; mark.stilf@epa.gov; mark.still@epa.gov
Cc: [REDACTED]
Subject: FW: FOIA -- EPA-HQ-2017-005390 - Follow up to EPA Mark on 5-4-17 message and conversation and Chelmowski

Dear EPA Privacy Act and FOIA

Here is more communication with the voicemail left on May 5, 2017

Regarding my FOIA/Privacy Act request.

Attached is EPA Privacy Act request and 5-5-17 voicemail left for Mark at EPA in follow up to his message and conversation on 5-4-17.

In All the EPA email systems (including but not limited to the mandate central email system of records which mandated all agencies must implement on or before 12/31/16) and FOIAonline are clearly System of Records as defined by Privacy Act 5 USC 552a. All requested records relate to the Requester.

James Chelmowski

[REDACTED]

[REDACTED]

From: Jim Chelmowski [mailto: [REDACTED]]

Sent: Monday, May 8, 2017 10:17 AM

To: 'mark.stilt@epa.gov' <mark.stilt@epa.gov>; 'foia_hq@epa.gov' <foia_hq@epa.gov>; 'privacy@epa.gov' <privacy@epa.gov>; 'earle.judy@epa.gov' <earle.judy@epa.gov>

Subject: Privacy Act/FOIA control number 17-5390

Dear Mark and/or EPA FOIA/Privacy Act

Please confirm receipt and date (or estimated date) for receipt of all responsive records per Privacy Act and FOIA.

On May 4, 2017 about 4:11 cst

Mark Stilt from EPA called and left a message about my EPA HQ 2017-005390. He stated he had a couple questions and wanted to make sure I understand and we get this process and closed out correctly.

On May 4, 2017 about 4:15 cst

I called him back while in my car. We agreed I would call back on May 5, 2017 since it was past 5 pm EST and I was driving without my notes.

On May 5, 2017 about 9:40 cst

I left a message which is attached with details and explanation of the Privacy Act/FOIA records I am requesting.

I called a few times on May 5, 2017 and today on May 8, 2017 for confirmation of receipt of my voicemail but no one answered or returned my call.

Please confirm receipt of this attached recorded voicemail left in the voicemail box for Mark at the EPA on May 5, 2017.

James Chelmowski
[REDACTED]
[REDACTED]

From: Jim Chelmowski [mailto:[REDACTED]]
Sent: Thursday, April 20, 2017 5:38 PM
To: foia_hq@epa.gov; privacy@epa.gov; earle.judy@epa.gov
Cc: [REDACTED]
Subject: RE: FOIA -- EPA-HQ-2017-005390 Improper FOIA Request - Request for Clarification - PRIVACY ACT

Hi

PRIVACY ACT REQUEST & FREEDOM OF INFORMATION REQUEST

I had emergency eye surgery a couple weeks ago and still under doctor post-op with limited abilities.

I have left messages that I explained the details of records requested for all EPA with my name or identification on it.

I referenced a July 2016 US District Court Subpoena which was never responded. The FCC counsel confirmed communication with EPA regarding this subpoena and the EPA not producing records.

There must be multiple emails and other correspondence between July 2016 and current regarding me which must be produced per Privacy Act.

EPA manages the FOIAonline database of records and I am requesting ALL FOIAonline records, notes, comments, FOIAonline entries, etc. referencing my name and any of my identification. See Attached official document from the Department of the Navy dated 12/12/13 that EPA maintains and manages the FOIAonline database which EPA is required to provide under Privacy Act and/or FOIA.

NARA-NGC-2017-000437; EPA-HQ-2017-005390;; NARA-NGC-2017-000332 ; DOJ-2017-002628 DOJ-2017-002627 NARA-NGC-2017-000329 NARA-NGC-2016-000746 FCC-2016-000863 FCC-2016-000712 FCC-2016-000665 DOJ-2016-003331 NARA-NGC-2016-000555 FCC-2016-000487 FCC-2016-000345 FCC-2015-000889 FCC-2015-000769 FCC-2015-000768

This was detailed in the PRIVACY ACT and FOIA request

Please Call me tomorrow to confirm the day I receive these requested PRIVACY ACT and FOIA records.

Thank you

James Chelmowski

[REDACTED]

From: foia_hq@epa.gov [mailto:foia_hq@epa.gov]
Sent: Wednesday, March 29, 2017 9:12 AM

To: [REDACTED]

Subject: FOIA -- EPA-HQ-2017-005390 Improper FOIA Request - Request for Clarification

03/29/2017 10:08 AM

FOIA Request: EPA-HQ-2017-005390